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VIA ECF & FACSIMILE

Honorable George B. Daniels, U.S.D.J.
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007

Re: *Brown, et al. v. Cerberus Capital Management, L.P., et al.*
Civil Action No. 15-cv-9022 (GBD)
Briefing Schedule for Renewed Motion to Dismiss; Non-opposition to Plaintiffs'
Motion to Unseal the Complaint

Dear Judge Daniels:

We are counsel to Defendants in the above-referenced matter. At the request of Chambers, we write to address two issues: (1) the briefing schedule for Defendants' pending motion to dismiss the Complaint (ECF No. 16), and (2) Defendants' position on Plaintiffs' motion to unseal the Complaint (ECF No. 5).

We have conferred with Plaintiffs' counsel regarding the motion to dismiss. Plaintiffs' counsel advises that, in lieu of opposing the pending motion, he intends to amend the Complaint pursuant to Rule 15. The parties have therefore discussed a schedule for that amendment and a renewed motion addressed to the sufficiency of the Amended Complaint. Accordingly, the parties propose that Plaintiffs file their Amended Complaint by February 16, 2016. Defendants will respond to that Amended Complaint by Answer or a renewed motion to dismiss no later than March 15, 2016. If Defendants respond with a motion to dismiss, Plaintiffs' opposition to that motion shall be filed on or before April 15, 2016, and Defendants' reply shall be filed on or before April 29, 2016. Defendants propose to make any renewed motion to dismiss returnable on May 6, 2016.

Furthermore, Defendants confirm that they do not oppose Plaintiffs' pending Motion to Unseal the Complaint (ECF No. 5).

Respectfully submitted,



Gavin J. Rooney

cc: Joshua L. Seifert, Esq. (by CM/ECF)

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